

IAP15 Rec'd PCT/PTO 26 JAN 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/540,181

Applicant: Hoge et al.

Filed: June 1, 2005

TC/AU: Unassigned

Examiner: Unassigned

Docket No.: 236187 (Client Reference No. 6/cw/FF32665US)

Customer No.: 23460

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Dear Sir

Applicant(s) hereby respond(s) to the Notice to File Missing Parts of Application dated August 23, 2006.

The items checked below are appropriate:

**1. Status of Applicant**

This application is on behalf of  other than a small entity or  a small entity.

**CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that this Response and all accompanying documents are, on the date indicated below,  being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop \_\_\_\_\_, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or  being facsimile transmitted to the U.S. Patent and Trademark Office, Facsimile Number (571) 273-8300.

Name (Print/Type)	Kathleen N. Rodgers		
Signature	<i>Kathleen N. Rodgers</i>	Date	January 19, 2007

**2. Documents Submitted Herewith**

- a.  Executed Declaration of inventor(s)
- b.  Nucleotide and/or Amino Acid Sequence Submission:
  - i.  Computer Readable Form (CRF)
  - ii. Specification Sequence Listing on:
    - (1)  CD-ROM or CD-R (2 copies); or
    - (2)  Paper Copy
  - iii.  Statement verifying identity of above copies
- c.  Verified English translation of application
- d.  Copy of the Notice to File Missing Parts of Application
- e.  Substitute Drawings
- f.  Other:

**3. Application Filing Fees**

- a.  No application filing fee due
- b.  Application filing fee due in amount calculated below:

BASIC FEE (\$300 FILING FEE + \$200 EXAMINATION FEE + \$500 SEARCH FEE)				\$1,000.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	- 20 =		x \$50.00	\$
Independent Claims	- 3 =		x \$200.00	\$
<input type="checkbox"/> Multiple Dependent Claim(s) if applicable			+ \$360.00	\$
<input type="checkbox"/> Application Size Fee (\$250 for each additional 50 sheets over 100)				\$
Total of above calculations =				\$
Reduction by 50% for filing by small entity =				\$( )
<b>Fee Already Paid =</b>				\$
<b>Fee Due =</b>				\$

**4. Late Filing of Oath or Declaration Surcharge**

Pursuant to 37 CFR 1.16(e), the surcharge for filing this Response is for  other than a small entity or  a small entity.

**Fee Due** \$130.00

**5. Non-English Specification Surcharge**

Pursuant to 37 CFR 1.17(i), the surcharge for submitting an English translation of the non-English specification is included.

**Fee Due** \$ 0.00

**6. (Provisional only) Surcharge for Late Submission**

Pursuant to 37 CFR 1.16(g), the surcharge for submitting an English translation of the non-English specification is included.

**Fee Due** \$ 0.00

## 7. Extension of Time

- Applicant(s) petition(s) for a three-month extension of time under 37 CFR 1.136, the fee for which is \$1,020.00.
- Applicant(s) believe(s) that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant(s) has/have inadvertently overlooked the need for a petition and fee for extension of time.

Fee Due	\$1,020.00
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## 8. Total Fee Due

The total fee due is:

Application Filing Fee	\$130.00
Late Filing of Declaration Surcharge	\$ 0.00
Non-English Specification Surcharge	\$ 0.00
(Provisional only) Surcharge for Late Submission	\$ 0.00
Extension of Time Fee	\$1,020.00

**Total Fee Due: \$1,150.00**

## 9. Fee Payment

- Attached is a check in the sum of \$
- Charge Account No. 12-1216 the sum of \$1,150.00. A duplicate of this transmittal is attached.

## 10. Fee Deficiency

- If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.

01/31/2007 ATRAN1 00000046 121216 10540181

01 FC:1617 130.00 DA

01/31/2007 ATRAN1 00000046 121216 10540181

02 FC:1253 1020.00 DA

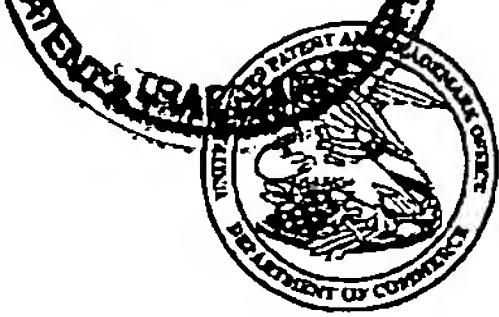


Pamela J. Ruschau, Reg. No. 34,242  
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 Chicago, Illinois 60601-6731  
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Date: January 19, 2007

Missing Parts Response (Revised 12/23/04)

JAN 26 2007



UNITED STATES PATENT AND TRADEMARK OFFICE

To: PJR

Page 1 of 2

cc: LVM 236187, Mathisen

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/540,181	Ralf Hoge	236187

INTERNATIONAL APPLICATION NO.

PCT/IB03/05917

I.A. FILING DATE	PRIORITY DATE
	12/12/2003

23460  
LEYDIG VOIT & MAYER, LTD  
TWO PRUDENTIAL PLAZA, SUITE 4900  
180 NORTH STETSON AVENUE  
CHICAGO, IL 60601-6780

LEYDIG, VOIT & MAYER  
RECEIVED

AUG 28 2006

IAB

10-23-06  
PAY/TM Due Date

3-23-07 final

Date Mailed: 08/23/2006

CONFIRMATION NO. 1193

371 FORMALITIES LETTER



\*OC000000020141819\*

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/17/2005
- Copy of the International Search Report filed on 06/17/2005
- Preliminary Amendments filed on 06/17/2005
- Information Disclosure Statements filed on 06/17/2005
- Request for Immediate Examination filed on 06/17/2005
- U.S. Basic National Fees filed on 06/17/2005
- Priority Documents filed on 06/17/2005
- Specification filed on 06/17/2005
- Claims filed on 06/17/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAYA L LEWIS BALTIMORE

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Telephone: (703) 308-9140 EXT 202

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/540,181	PCT/IB03/05917	236187

FORM PCT/DO/EO/905 (371 Formalities Notice)